REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, no claim amendments are presented herein. Therefore, Applicant requests entry and consideration of the Rule 116 Response and Request for Reconsideration because no new features are being added and no new issues are being raised.

Claims 1-18 are pending and under consideration. No new matter is being presented, and reconsideration of the claims is respectfully requested.

REJECTIONS OF CLAIMS 1-18 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER DEVINS (U.S. PATENT NO. 6,762,761)

The rejections of claims 1-18 are respectfully traversed and reconsideration is requested.

On pages 2-6 of the Office Action, the Examiner maintains his rejections of claims 1-18 as being unpatentable over previously-cited Devins et al. (U.S. Patent No. 6,762,761). Specifically, in the Response to Arguments, on page 7 of the Action, the Examiner states "Applicant argued that Devins does not teach automatically starting a job based on the recognized predetermined operation status." In response, the Examiner cites column 3, line 58, to column 4, line 7, of Devins as disclosing this feature.

Applicant respectfully submits, however, that the Examiner has misinterpreted the arguments presented in the Amendment, filed January 30, 2006, and the features recited in independent claims 1, 16 and 17. The independent claims do not merely recite automatically starting a job based on the recognized predetermined operation status, as the Examiner suggests. In contrast, claim 1, for example, recites automatically starting a job, determined based on the recognized operation status.

That is, according to the present invention, a previously undetermined job is determined based on the operation status of a computer, which is recognized based on whether a file corresponding to the predetermined operation status exists within the memory section or not.

In contrast, the cited portions of Devins merely disclose (as the Examiner suggests) executing (predetermined) instructions stored within the memory, which are ready and waiting to be executed when the DLP 25 recognizes specified status information within the status register.

In other words, according to Devins, captured programs are generated and stored in a memory. A graphics processor fetches instructions in a captured program and sends them to a graphics accelerator, which executes the instructions to perform graphics operations. A captured program may include instructions causing the graphics process to monitor the status

information in a status register, and delay sending the instructions to the graphics accelerator until specified status information is present. (See Devins column 2, lines 32-52).

Devins corresponds with the system described in the Background Art of the present specification, in which a program for recognizing an operation status of the system is prepared for each job within a program that executes the (predetermined) job based on a flag showing the operation status of the system. (See page 2, lines 23-27, of the present specification).

In order to illustrate operations of the present invention, assume, as an example, that in a first operation state of a computer system both jobs 1 and 2 are executable; in a second operation state, job 1 is executable but job 2 is not; in a third operation state, job 1 is not executable but job 2 is executable; in a fourth operation state both jobs 1 and 2 are not executable. That is, according to claim 1, operation states of a computer system are recognized based on the existence of files, where these files are prepared or deleted according to changes in an operation state of the computer. An executable job is *determined and started* in response to the operation state of the computer system.

Independent claims 1, 16 and 17 currently recite, "automatically starting a job, determined based on the recognized operation status". Therefore, it is respectfully submitted that independent claims 1, 16 and 17 patentably distinguish over the prior art.

Dependent claims 2-15 and 18 inherit the patentability of their respective base claims and, thus, it is respectfully submitted that dependent claims 2-15 and 18 patentably distinguish over the prior art for at least the reasons provided above.

Moreover, dependent claim 4, for example, further distinguishes over Devins by reciting that the starting of the predetermined job is determined based on whether a plurality of the files exist or not within the memory section. It is respectfully submitted that Devins fails to teach or suggest the features of dependent claim 4.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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